

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government—The bill permanently reduces the percentage of funds the state contributes to the provision of certain Baker Act services.

B. EFFECT OF PROPOSED CHANGES:

Local Contribution for Baker Act Services

Prior to the current fiscal year, s. 394.457(3), F. S., allowed the state to reimburse service contracts for Baker Act services, including screening, crisis stabilization, inpatient and short-term residential treatment, at a rate up to 100 percent. Other mental health and substance abuse services required local participation on a 75-to-25 state-to-local ratio.

Chapter 2005-71, Laws of Florida, the implementing bill to the Fiscal Year 2005-2006 General Appropriations Act, temporarily removed this conflict for Baker Act services, and required the 25 percent local participation. This bill permanently removes this conflict by eliminating state reimbursement allowance up to 100 percent in s. 394.457, F. S.

Substance Abuse and Mental Health Funding Equity

The current provisions of s. 394.908, F. S., specify the methodology by which substance abuse and mental health dollars are required to be distributed. Any funding beyond the 1996-1997 fiscal year base appropriation for alcohol, drug abuse, and mental health services is to be allocated as follows: 75 percent based on epidemiological estimates of disabilities that apply to the respective target populations and a pro rata share distribution that ensures districts below the statewide average funding level per person in each target population of “persons in need” receive funding necessary to achieve equity. The remaining 25 percent is to be allocated based on the number of persons in need of substance abuse and mental health services per district without regard to current funding levels. The law also specifies that additional funding after July 1, 1998 is required to be performance-based.

The bill modifies the methodology to require that all additional funding beyond the 2005-2006 fiscal year base appropriation shall be allocated based on the epidemiological estimates of disabilities that apply to the respective target populations and a pro rata share distribution that ensures districts below the statewide average funding level per person in each target population of “persons in need” receive funding necessary to achieve equity. No funds are to be allocated based on number of persons in need of services without regard to current funding levels. The bill also deletes the provision regarding additional funding being performance-based.

C. SECTION DIRECTORY:

Section 1. Amends s. 394.457, F.S., regarding the reimbursement rate by the Department of Children and Family Services for contracted Baker Act services.

Section 2. Amends s. 394.908, F.S., revising substance abuse and mental health funding allocation methodology.

Section 3. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

Local Match

Chapter 2005-71, Laws of Florida, the implementing bill to the Fiscal Year 2005-2006 General Appropriations Act, temporarily requires a 25 percent local participation for Baker Act services. This bill permanently changes the requirement by eliminating state reimbursement allowance up to 100 percent in s. 394.457, F. S.

Allocation Methodology

With the change in the substance abuse and mental health allocation methodology provisions in this bill, additional funds provided by the Legislature will be distributed based on epidemiological estimates of disabilities that apply to the respective target populations, and a pro rata share distribution that ensures district below the statewide average funding level per person in each target population of "persons in need" receive funding necessary to achieve equity. No funding will be allocated based on the number of persons in need of substance abuses and mental health services per district without regard to current funding levels.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The bill describes the allocation process for substance abuse and mental health funding beyond the 2005-2006 fiscal year and does not affect current base funding.

See D. Fiscal Comments.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See D. Fiscal Comments.

D. FISCAL COMMENTS:

According to the Department of Children and Family Services, in their administrative rules, the provider is responsible for match, since that is the entity that has the state funds that need to be matched. The provider can get match from a variety of sources, including county government. Match can be cash or in-kind. For Baker Act services, the provider usually gets cash match specific to Baker Act from the county. If the county does not provide that match, the provider must get it elsewhere.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds. The bill does not reduce the percentage of a state tax shared with counties or municipalities. The bill does not reduce the authority that municipalities have to raise revenue.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The Department of Children and Family Services has sufficient rulemaking authority to carry out the provisions of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES